

**In the United States Patent and Trademark Office**

Serial Number: \_\_\_\_\_  
Appn. Filed: 2003 November 03  
Applicant: Shumake, Clayton D.  
Appn. Title: "Easy Horn Holder"  
Examiner/GAU: \_\_\_\_\_

Mailed 2003 November 03, Monday

At: Eddy, Texas

**Information Disclosure Statement**

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Attached is a completed Form PTO-1449 and copies of the pertinent parts of the references cited thereon. Following are comments on these references pursuant to Rule 98:

**Shulman** shows a stabilizing base for smaller brass instruments. Strap around neck places stress of weight of instrument on this part of the musician's body. The unattached horn is free to fall from the musician's hand. It is designed for stabilizing a resting instrument, not for providing a mounted, fixed support for the instrument.

**Cronos** presents a strap support for a stringed instrument such as a guitar.

**Chen** shows an anchoring fixture for a musical instrument comprised of a clamp socket with a platform.

**Ternes** exhibits a pinky retaining device for a trumpet or other valved musical instrument. It may be used to assist musicians in holding the instrument while playing.

**Simons et al.** shows a multiple musical instrument holder with a mounting plate attached to a stand. Support is designed to hold percussion instruments.

**Fanella** displays a guitar or like instrument harness apparatus with shoulder and back strap assemblies.

**Hansen** presents a musical instrument holder comprised of a base with a vertical shaft centerpiece with spaced shoulder supports for supporting various sizes of woodwind instruments.

**Chen** shows an instrument holder comprised of a horizontal mount at the top of a vertical shaft designed for holding percussion instruments.

**J hnson** presents a chair-borne musical instrument support that is both adjustable and portable and designed for brass instruments such as a tuba.

**Lackner** displays a support apparatus for a musical instrument such as a saxophone. The apparatus attaches to the back of a musician's belt or pants.

**McFarlin** also shows a musical instrument support strap which is worn around the neck of the musician. The strap has an adjustable length strap with quick snap buckle.

**Smith** exhibits an extendable strut device support for woodwind instruments. The musician must be seated for proper utilization.

**Penn** reveals a spinning drum carrier having a carrier frame including a curved abdomen support plate attached to a vertical support and shoulder supports.

**LaFlame** illustrates a carrier for percussion instruments comprised of an abdominal plate with an upstanding rear portion and shoulder bars.

**Penn** shows a spinning drum carrier design patent (equivalent to patent 5,573,158)..

**Violette** presents a musical instrument harness capable of supporting a guitar, banjo, and/or other like musical instrument.

**Walters, Jr.** shows an adjustable weight support harness for supporting a saxophone or similar instrument.

**Twohy** displays a violin holder that avoids the need for the musician to cradle the instrument between his/her shoulder and chin.

**Lehmann** shows a device worn on a musician's wrist used in combination with a fastening means on the lower end of a clarinet for supporting the weight of the clarinet.

**Tierney** reveals a novel strap assembly for supporting a musical instrument such as a saxophone. Assembly is comprised of a pair of shoulder straps attached to elongate projections.

**Hsieh** presents a percussion instrument carrying holder comprised of a "T" bar, a pair of shoulder bars, a belly plate and fastening means.

**LaFlame** shows an apparatus for carrying an object like a percussion instrument, backpack or tray comprising a belly plate with a carrier extending outwardly therefrom to support the object in a generally overhanging position from a person.

**LaFlame** presents a support for a percussion instrument with respect to a carrier frame with clamp elements and fasteners.

**LaFlame** reveals a carrier for percussion instruments comprising a belly plate with an instrument carrier extending outwardly therefrom.

**Ephraim** shows a keyboard carrier comprising a brace and plate assembly attachable over the shoulders and along the belt line of wearer.

**Jones et al** exhibits a musical instrument carrier comprising a support frame having shoulder pads, a front body engaging pad and a support frame securing shoulder pads.

**Dranchak** displays a percussion instrument holder comprised of shoulder hooks supporting a center breastplate from which a hanger structure attaches for holding a drum.

**Jaquith, deceased et al** presents a musical instrument support having an improved slide for adjusting the length of support and an improved clasp for engaging a musical instrument such as a saxophone, clarinet, or like instrument.

**Streit** shows a stand for supporting a musical instrument such as a sousaphone, tuba, or other large instrument for use by small children. Stand has an upright standard with a parallelogram mechanism spring tensioned to counter-balance weight of instrument. Stand designed to be used while musician is seated.

**Ivie** offers an apparatus for stabilizing a stringed musical instrument while held by a musician.

**Miller** presents a hand support attachment for a trumpet or like instrument. Support designed to make it easier to hold and play instrument with one hand.

**Schmidt** shows a novel clarinet positioner for attachment to a conventional clarinet to position clarinet for playing.

**Loeser and Venth** show a device for supporting a violin at the front end with an arm apparatus that attaches to a belt on the musician.

No references show support means for brass musical instruments such as a trumpet or coronet that provides a stabilized fixed position requiring no hands for holding the instrument. No references show support means for a musical instrument for a physically challenged individual. None of the references show two elongated tubes (each with designed extensions) connected in a perpendicular relationship to one another with attachments for mounting to existing shoulder support harnesses (Formal Art – Fig. 1, 2, 3, 4, and 5) No artwork shows support means with a combination of height, length and angular adjustments for brass instruments.

The submitted unique design can be utilized with any number of existing shoulder supports (Formal Art – Fig. 1). Design allows for height, length and angular adjustment to fit particular musical instruments (Formal Art – Fig 2). Simple design (Formal art - Fig. 5) provides stable support for instrument while allowing for multiple adjustments for easier access and playing of instrument. Holder is particularly helpful for physically challenged individuals.

Very respectfully,

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FORM PTO-1449 (Substitute)		ATTY. DOCKET NO.	SERIAL NO.
		APPLICANT Shumak , Clayton D.	
LIST OF PRIOR ART CITED BY APPLICANT (Use several sheets if necessary)		FILING DATE 2003 November 3	GROUP

## U. S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	6,504,087	01/07/2003	Shulman	84	387 A	
	AB	6,359,203	03/15/2002	Cronos	84	327	
	AC	6,155,743	12/05/2000	Chen	403	374.1	
	AD	6,118,059	09/12/2000	Ternes	84	387 R	
	AE	6,091,011	07/18/2000	Simons et al.	84	421	
	AF	6,040,509	03/21/2000	Fanella	84	280	
	AG	6,013,869	01/11/2000	Hansen	84	387 A	
	AH	5,804,747	09/08/1998	Chen	84	327	
	AI	5,789,687	08/04/1998	Johnson	84	387 A	
	AJ	5,772,091	06/30/1998	Lackner	224	265	

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AK							
AL							
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## OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

AP						
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EXAMINER \_\_\_\_\_ DATE CONSIDERED \_\_\_\_\_

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AS	5,753,839	05/19/1998	McFarlin	84	387 A	
	AT	5,664,758	09/09/1997	Smith	248	688	
	AU	5,573,158	11/12/1996	Penn	224	265	
	AV	5,400,683	03/28/1995	LaFlame	84	421	
	AW	D354975	01/31/1995	Penn	D17	22	
	AX	5,332,137	07/26/1994	Violette	224	257	
	AY	5,215,239	06/01/1993	Walters, Jr.	224	259	
	AZ	4,913,027	04/03/1990	Twohy	84	280	
	BA	4,841,829	06/27/1989	Lehmann	84	385 A	
	BB	4,802,613	02/07/1989	Tierney	224	204	
	BC	4,799,610	01/24/1989	Hsieh	224	266	

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	BL	4,634,032	01/06/1987	LaFlame	224	265	
	BM	4,605,144	08/12/1986	LaFlame	224	265	
	BN	4,453,442	06/12/1984	LaFlame	84	421	
	BO	4,450,993	05/29/1984	Ephraim	224	265	
	BP	4,402,441	09/06/1983	Jones et al	224	265	
	BQ	4,387,839	06/14/1983	Dranchak	224	265	
	BR	4,367,830	01/11/1983	Jaquith et al	224	258	
	BS	4,065,994	01/03/1978	Streit	84	453	
	BT	3,955,461	05/11/1976	Ivie	84	327	
	BU	3,847,051	11/12/1974	Miller	84	387	
	BV	3,192,817	07/06/1965	Schmidt	N/A	N/A	
	BW	413,807	10/29/1889	Loeser & Venth	N/A	N/A	

## FOREIGN PATENT DOCUMENTS

	BX						
	BY						
	BZ						
	CA						

## OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

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	CC						
	CD						

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